

Message

From: Kupchan, Simma [Kupchan.Simma@epa.gov]
Sent: 3/26/2020 8:29:13 PM
To: Neugeboren, Steven [Neugeboren.Steven@epa.gov]; Wehling, Carrie [Wehling.Carrie@epa.gov]; Wade, Alexis [Wade.Alexis@epa.gov]
Subject: Send to David? draft FRN on 404g ESA
Attachments: Draft FR notice re assumption and ESA 2-21-20.docx

Hi all,

On a 404(g) rule call earlier today, Mindy and John said they were going to check in with Dave regarding the status of this Federal Register notice on ESA consultation prior to approval of state/tribe 404 programs, but that they would love to say that David Fotouhi has reviewed it and is comfortable with it.

As noted below, it incorporates comments from Steve and John G. Would you have any concerns with sending to David Fotouhi for his review now?

Thanks for any input,

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>
Sent: Friday, February 21, 2020 4:58 PM
To: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; McDavit, Michael W. <Mcdavit.Michael@epa.gov>; Kelly, Stephanie <kelly.stephanie@epa.gov>
Cc: Goodin, John <Goodin.John@epa.gov>
Subject: FW: draft FRN on 404g ESA

Hi Folks,

Forwarding my transmission of the draft FRN to Dave. This reflects Steve/Simma edits and then Kathy's additional edits after talking with Carrie. John didn't have edits.

Thanks!
Mindy

Mindy Eisenberg
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From: Eisenberg, Mindy
Sent: Friday, February 21, 2020 4:56 PM

To: Ross, David P <ross.davidp@epa.gov>

Cc: McDonough, Owen <mcdonough.owen@epa.gov>; Aguirre, Janita <Aguirre.Janita@epa.gov>

Subject: draft FRN on 404g ESA

DELIBERATIVE

Dave,

Attached is a revised draft of the FRN for your review. We have revised it to hopefully better balance the discussion of potential policy approaches as you asked. This has been reviewed by John and Steve.

Please let me know if you have any questions.

Thanks!

Mindy

Mindy Eisenberg

Associate Director, Oceans, Wetlands & Communities Division

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